(b) if so, the details thereof;

(c) whether or not the. invoking of Article 356 with respect to Bihar will undermine the objectivity of the exercises; and

(d) if not, the reasons therefor?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) and (b) The agenda item relating to the Emergency Provisions of the Constitution was discussed in the Fifth meeting of the Inter-State Council (ISC) held on the 22nd of January, 1999. The ISC decided that the Sub-Committee under the Convenership of the Union Defence Minister should continue deliberations to evolve consensus on amendment of article 356. The Chief Ministers of Rajasthan and Tamil Nadu were also included in the Sub-Committee as Members.

(c) and (d) Invoking of article 356 in relation to the State of Bihar does not undermine the objectivity of the exercise. The constitution of the Sub-Committee does not imply that article 356 will not be used in appropriate cases.

Study on Condition of Jails and Prisoners

1617. SHRIMATI KAMLA SINHA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have made any study recently with regard to conditions prevailing in the country's Jails and plight of those jailed, especially the undertrials and women prisoners;

(b) if so, what are the details thereof; and

(c) what steps have been taken by Government to improve the condition of jails and the plight of prisoners and make the jails play the role of corrective and reformatory institutions?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) and (b) No such study has been made by the Central Government recently. However, interaction with the State Governments indicates that there is need to address the criminal Justice System in order to improve the plight of undertrials and women prisoners. According to available information, about 70% of the prison population consists of undertrials.

(c) 'Prisons' is a State subject as per the Constitution of India. As such, prison management is primarily the responsibility of the State Governments. However, the Central Government has been stressing upon the State Governments the need to improve the conditions in jails and make the jails truly corrective and reformatory institutions. Further, the Central Government has been providing financial assistance to the State Governments through the Finance Commissions awards as well as under the Central Scheme for Modernisation of Prison Administration for strengthening their prison infrastructure Insurgency in North-East Attributed to Poor Governance

1618. SHRI O.P. KOHLI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a note prepared by the Home Ministry recently has attributed the spread of insurgency in the North-East to the poor governance by the State Governments of Assam, Manipur, Nagaland and Tripura; and

(b) if so, the remedial steps taken in this regard?

THE MINISTER OF HOME AFFAIRS (SHRI LK. ADVANI): (a) Insurgency in the North-East is not merely a law and order issue but a complex issue. The ethnicity aspect, namely, the feeling of being different from the mainstream Indians, is pronounced in the North-East. The people also suffer from a feeling of "neglect" by the authorities. The change from a largely tribal society to a modern society has also contributed to the unrest. Pak ISI has been assisting the insurgents. Presence of long porous borders has facilitiated the movement of insurgent groups as well as the inflow of illegal arms into the region, besides the large scale influx of illegal migrants into the country. Insurgent groups have sanctuaries in some of the neighbouring countries. Lack of employment opportunities other than in Government sector has fuelled the influx of neo-literate youth into insurgent groups. Poor governance by some State Governments has also been a contributory factor.

(b) Steps taken by the Government to deal with insurgency situation in N.E. States include, *inter alia,* deployment of additional units of Central para Military Forces and Army; improved coordination and sharing of intelligence; modernisation/upgradation of State Police Forces; sanction of Special Central assistance; reimbursement of security related expenditure; declaration of the most seriously affected areas as 'disturbed areas' and notification of the major insurgent groups as 'Unlawful associations'. The situation is also kept under watch and is reviewed from time to time for taking appropriate action. State Governments are also sensitised from time to time to deal with the situation effectively.

Kangaroo Courts in Murshidabad

1619. SHRI JAYANT KUMAR MALHOUTRA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that in certain pockets in Murshidabad district of West Bengal, Kangaroo courts are operating;

(b) if so, whether Government have sought detailed information in this regard from the State Government;

(c) if so, the action taken thereon; and

(d) if not, the reasons therefor?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI):

(a) to (d) The matter has been taken up with the State Government. Their reply is awaited.

Strike in Darjeeling

1620. SHRI DAWA LAMA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that people of Darjeeling, Kurseong and Kalimpong sub-divisions went on 48 hours' strike on 6th and 6th February, 1999;

(b) if so, the demands of the people there; and

(c) the action proposed by Government to fulfil their demands?

THE MINISTER OF HOME AFFAIRS (SHRI LK. ADVANNI): (a) Yes Sir.

(b) The bandh was sponsored by the 8-Party
United Front in protest against the continuance
of Subash Ghisingh (President GNLF) as Caretaker Chairman of the DGHC and extension of the DGHC term even after its expiry on January 10,1999 as well as to demand
creation of a separate Gorkhaland State.

(c) The term of the DGHC has been extended by the Government of West Bengal, under whose administrative control DGHC functions. Government is not contemplating any proposal for creation of a separate state of Gorkhaland.

Amalgamation of DIU, Daman and Dadra Nagar Haveli in Gujarat

1621. SHRI BRAHMAKUMAR BHATT: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Diu, Daman and Dadra Nagar Haveli, earlier under Portuguese regime are geographically within the Gujarat territory;

(b) whether it is also a fact that administration of these territories is being run from Goa;

(c) if so, whether the developmental activities are not undertaken because of the administration being in Goa since 1960;

(d) whether Government are actively considering to amalgamate these territories in Gujarat; and

(e) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) Yes, Sir. These territories are located within the State of Gujarat except Diu which is an offshore island and Nagar Haveli which is bounded largely by Valsad District of Gujarat in the north and by Thana District of Maharashtra in the South.

(b) No, Sir.

(c) Does not arise.

(d) and (e) No, Sir. There are historical reasons because of which these areas continue to function as distinct administrative entities.